

# EXHIBIT 19



Department of Health and Human Services

Administration for Children and Families

## Notice of Award

Award# 90ZU0334-02-03

FAIN# 90ZU0334

Federal Award Date: 07/07/2021

**Recipient Information****1. Recipient Name**

BCFS HEALTH AND HUMAN SERVICES  
1506 Bexar Crossing  
San Antonio, TX 78232-1587  
[NoPhoneRecord]

**2. Congressional District of Recipient**

21

**3. Payment System Identifier (ID)**

1741260710A1

**4. Employer Identification Number (EIN)**

741260710

**5. Data Universal Numbering System (DUNS)**

069459576

**6. Recipient's Unique Entity Identifier****7. Project Director or Principal Investigator**

Ms. Asennet Segura  
asegura@bcfs.net  
210-832-5000

**8. Authorized Official**

Sonya Thompson  
sthompson@bcfs.net  
210-208-5898

**Federal Agency Information**

ACF/ORR Office of Discretionary Grants

**9. Awarding Agency Contact Information**

Mr. Gerald Scroggins  
Financial Management Specialist  
gerald.scroggins@acf.hhs.gov  
214-767-8703

**10. Program Official Contact Information**

Ms. Tiffany Pham  
Program Officer  
tiffany.pham@acf.hhs.gov  
202-401-1230

**Federal Award Information****11. Award Number**

90ZU0334-02-03

**12. Unique Federal Award Identification Number (FAIN)**

90ZU0334

**13. Statutory Authority**

412(c)(1)(A) of INS Act

**14. Federal Award Project Title**

Residential (Shelter) Services for Unaccompanied Alien Children

**15. Assistance Listing Number**

93.676

**16. Assistance Listing Program Title**

Unaccompanied Alien Children Program

**17. Award Action Type**

Supplement

**18. Is the Award R&D?**

No

**Summary Federal Award Financial Information****19. Budget Period Start Date** 02/01/2021 - **End Date** 01/31/2022**20. Total Amount of Federal Funds Obligated by this Action** \$202,712,583.00

20a. Direct Cost Amount \$184,821,830.00

20b. Indirect Cost Amount \$17,890,753.00

**21. Authorized Carryover** \$0.00**22. Offset** \$0.00**23. Total Amount of Federal Funds Obligated this budget period** \$6,597,013.00**24. Total Approved Cost Sharing or Matching, where applicable** \$0.00**25. Total Federal and Non-Federal Approved this Budget Period** \$209,309,596.00**26. Project Period Start Date** 02/01/2020 - **End Date** 01/31/2023**27. Total Amount of the Federal Award including Approved  
Cost Sharing or Matching this Project Period** Not Available**28. Authorized Treatment of Program Income**

Additional Costs

**29. Grants Management Officer - Signature**

Ms. Karen Code  
Grants Officer

**30. Remarks**

See Remarks (continuation)



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1506 Bexar Crossing  
San Antonio, TX 78232-1587  
[NoPhoneRecord]

**Congressional District of Recipient**

21

**Payment Account Number and Type**

1741260710A1

**Employer Identification Number (EIN) Data**

741260710

**Universal Numbering System (DUNS)**

069459576

**Recipient's Unique Entity Identifier**

Not Available

**31. Assistance Type**

Cooperative Agreement

**32. Type of Award**

Service

**33. Approved Budget**

(Excludes Direct Assistance)

I. Financial Assistance from the Federal Awarding Agency Only

II. Total project costs including grant funds and all other financial participation

|                          |                  |
|--------------------------|------------------|
| a. Salaries and Wages    | \$3,947,391.00   |
| b. Fringe Benefits       | \$10,001,318.00  |
| c. Total Personnel Costs | \$13,948,709.00  |
| d. Equipment             | \$162,884.00     |
| e. Supplies              | \$7,337,091.00   |
| f. Travel                | \$15,678,828.00  |
| g. Construction          | \$0.00           |
| h. Other                 | \$57,723,683.00  |
| i. Contractual           | \$95,873,105.00  |
| j. TOTAL DIRECT COSTS    | \$190,724,300.00 |
| k. INDIRECT COSTS        | \$18,585,296.00  |
| l. TOTAL APPROVED BUDGET | \$209,309,596.00 |
| m. Federal Share         | \$209,309,596.00 |
| n. Non-Federal Share     | \$0.00           |

**34. Accounting Classification Codes**

| FY-ACCOUNT NO. | DOCUMENT NO. | ADMINISTRATIVE CODE | OBJECT CLASS | AMT ACTION FINANCIAL ASSISTANCE | APPROPRIATION |
|----------------|--------------|---------------------|--------------|---------------------------------|---------------|
| 1-G990149      | 90ZU033402   |                     | 41.51        | \$0.00                          | 75-1921-1503  |
| 1-G99UXXR      | 90ZU033402   |                     | 41.51        | \$202,712,583.00                | 75-X-1503     |

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**Remarks (Continuation)**

The Acting Assistant Secretary approved a request from ORR to solicit and issue an OPDIV-initiated supplement to BCFS Health and Human Services to continue operations at the Carrizo Springs Influx Care Facility, on 03/09/2021. The approval was for up to \$643,430,000. The actual total approved budget is \$475,868,102, and the budget period will begin on 07/12/2021 and end on 01/31/2022. The prior supplement that was awarded to BCFS Health and Human Services to provide services at Carrizo Springs Influx Care Facility was under grant 90ZU0208; that grant project period ends on 07/11/2021.

This payment of \$202,712,583 represents funding for 90 days of operations. This funding is subject to paragraph (6) of the attached agreement (see pages 8-9 of this Notice of Award). ORR will be amending this notice of award within 60 days to incorporate a reference to 29 CFR 4.6 and to attach the applicable Wage Determinations, including the Wage Determination for Dimmit County, after consulting with DOL. Such amendment will be clear that it is with respect to the Carrizo Springs facility.



### 35. Terms And Conditions

## STANDARD TERMS

### 1. Standard Terms and Conditions

Paid by DHHS Payment Management System (PMS), see attached for payment information.  
This award is subject to the requirements of the HHS Grants Policy Statement ([HHS GPS](#)) that are applicable to you based on your recipient type and the purpose of this award.

This includes requirements in Parts I and II (available at <http://www.hhs.gov/grants/grants/policies-regulations/index.html> of the HHS GPS. Although consistent with the HHS GPS, any applicable statutory or regulatory requirements, including [45 CFR Part 75](#), directly apply to this award apart from any coverage in the HHS GPS.

This award is subject to requirements or limitations in any applicable Appropriations Act.

This award is subject to the requirements of Section 106 (g) of the trafficking Victims Protection Act of 2000, as amended ([22 U.S.C. 7104](#)).  
For the full text of the award term, go to <https://www.acf.hhs.gov/discretionary-post-award-requirements>.

This award is subject to the Federal Financial Accountability and Transparency Act (FFATA or Transparency) of 2006 subaward and executive compensation reporting requirements.  
For the full text of the award term, go to <http://www.acf.hhs.gov/discretionary-post-award-requirements>.

This award is subject to requirements as set forth in [2 CFR 25.110](#) Central Contractor Registration (CCR) and DATA Universal Number System (DUNS). For full text go to <http://www.acf.hhs.gov/discretionary-post-award-requirements>.

Consistent with [45 CFR 75.113](#), applicants and recipients must disclose in a timely manner, in writing to the HHS awarding agency, with a copy to the HHS Office of Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Subrecipients must disclose, in a timely manner, in writing to the prime recipient (pass through entity) and the HHS OIG, all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Disclosures must be sent in writing to the awarding agency and to the HHS OIG at the following addresses:

The Administration for Children and Families  
U.S. Department of Health and Human Services  
Office of Grants Management  
ATTN: Grants Management Specialist  
330 C Street, SW., Switzer Building  
Corridor 3200  
Washington, DC 20201

AND

U.S. Department of Health and Human Services



Department of Health and Human Services

Administration for Children and Families

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Office of Inspector General  
ATTN: Mandatory Grant Disclosures, Intake Coordinator  
330 Independence Avenue, SW, Cohen Building  
Room 5527  
Washington, DC 20201

Fax: (202) 205-0604 (Include "Mandatory Grant Disclosures" in subject line) or  
Email: MandatoryGranteeDisclosures@oig.hhs.gov

Failure to make required disclosures can result in any of the remedies described in [45 CFR 75.371](#) Remedies for noncompliance, including suspension or debarment (See 2 CFR parts [180](#) & [376](#) and [31 U.S.C. 3321](#)).

This award is subject to the requirements as set forth in [45 CFR Part 87](#).  
This grant is subject to the requirements as set forth in [45 CFR Part 75](#).  
Attached are terms and conditions, reporting requirements, and payment instructions.  
Initial expenditure of funds by the grantee constitutes acceptance of this award.

This award is also subject to the provisions of the Service Contract Act, Code of Federal Regulations (CFR) Title 29.

This award is also subject to the provisions of the Service Contract Act requirements at [29 CFR 4.6](#) - Labor standards clauses for Federal service contracts exceeding \$2,500.

This award is also subject to the requirements for pass-through entities in accordance with HHS' regulatory provisions for Subrecipient Monitoring and Management found at [45 CFR §§ 75.351-352](#)

## REMARKS

1. This award does not have the statutory authority to explicitly use federal funds to purchase (acquire), construct, and/or make major renovations to real property. Real property, as defined by [45 CFR 75.2](#), means land, including land improvements, structures and appurtenances (affixed equipment] thereto, but excludes moveable machinery and equipment. Please also reference [HHS Grants Policy Statement](#) II-35, Land or Building Acquisition, for more information.

Minor alterations and renovations (A/R) or improvements may be allowable to the award. Minor A/R expenditures require prior approval by the awarding agency. Please reference the [HHS Grants Policy Statement](#) at II-30, II-49, II-98-99, and [45 CFR 75.462](#) *Rearrangement and reconversion costs* for more information. Effective 03/25/2021, HHS specifies that for any single or aggregate minor A/R project, costs may not exceed the lesser of \$250,000 or 25% of the total approved budget for the entire project period. The minor A/R threshold applies to each land parcel as identified by state or county property records where UAC activities occur, regardless of the number of structures/improvements that exist on each land parcel. Recipients and if applicable, their subrecipient(s), must maintain entity property records and track the amount of federal funds being used for minor A/R to ensure that the threshold is not exceeded for the entire project period.

Please note the provisions at [45 CFR 75.465](#) *Rental costs of real property and equipment*. Allowable rental costs under "arms-length" leases are explained at [45 CFR 75.465 \(a\)](#). Under arms-length leases, no rental costs above the fair-market rental value of the available usable space of the leased property may be



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charged to the grant. No federal funds may be used for ownership type expenses such as, but not limited to, depreciation, property taxes, maintenance, and insurance on the leased property.

Under "sale and lease back" arrangements, "less-than-arm's length" leases, and "capital leases", rental costs are limited to those such as depreciation, maintenance, taxes, and insurance as explained at [45 CFR 75.465 \(b\) and \(c\)](#). There are exceptions to the allowability of taxes under capital leases as noted at [45 CFR 75.465 \(c\)\(5\)](#). Depreciation expense must be calculated consistent with the methodology explained at [45 CFR 75.436](#).

## **AWARD ATTACHMENTS**

BCFS HEALTH AND HUMAN SERVICES

90ZU0334-02-03

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1. SCA Addenda



HHS/ORR and BCFS Health and Human Services (BCFS) agree as follows:

- (1) within 60 days, HHS/ORR will include 29 CFR 4.6 in Cooperative Agreement 90ZU0334, Notice of Award 90ZU0334-02-03, and any other Notice of Award related to the Carrizo Springs facility. To be clear, it is HHS/ORR's express intent for purposes of this agreement that 29 C.F.R. 4.6 shall only apply to the Carrizo Springs facility. BCFS does not admit or agree that 29 C.F.R. 4.6 should apply to the Carrizo Springs facility or any other Cooperative Agreement or Notice of Award issued to BCFS;
- (2) within 60 days, HHS/ORR will attach Wage Determination No. 2015-5301 and any other applicable wage determination<sup>1</sup> to Cooperative Agreement 90ZU0334, Notice of Award 90ZU0334-02-03, and any other Notice of Award related to the Carrizo Springs facility. To be clear, it is HHS/ORR's express intent that any of the aforementioned wage determinations shall only apply to work performed under Notice of Award 90ZU0334-02-03, and any other notice of award with respect to the Carrizo Springs facility BCFS does not admit or agree that any wage determination should apply to the Carrizo Springs facility or any other Cooperative Agreement or Notice of Award issued to BCFS;
- (3) Subject to paragraph (6), HHS/ORR's inclusion of 29 C.F.R. 4.6 and attachment of the wage determination(s) as set forth in (1) and (2) above shall be retroactive to the date of Notice of Award 90ZU0334-02-03, expected to issue July 13, 2021 and shall be limited in application exclusively to work performed under Notice of Award 90ZU0334-02-03 and any other notice of award with respect to the Carrizo Springs facility;
- (4) Without admission or prejudice to any of its claims or defenses in any ongoing disagreement with HHS/ORR and/or the Department of Labor, BCFS agrees to insert the 29 C.F.R. 4.6 and applicable wage determinations into each subcontract/vendor agreement under which services are provided at the Carrizo Springs facility;
- (5) By agreeing to the insertion of the SCA contract clause and attachment of the applicable wage determination(s) in the HHS/ORR agreement and in the subcontract/vendor agreements as provided in this agreement, BCFS does not waive its rights to raise challenges to the applicability of the SCA outside of the 90 day period contemplated by this agreement or any other agreements involving BCFS or its subcontractors, including Cooperative Agreement 90ZU0334, Notice of Award 90ZU0334-02-03, and any other Notice of Award related to the Carrizo Springs facility and Cooperative Agreement 90ZU0334. Further, nothing in this agreement shall preclude or prevent in any way the rights of BCFS to raise any claims or defenses it may have to any assertion that 29 C.F.R. 4.6 or any particular wage determination or the Service Contract Act should apply to the Carrizo Springs facility outside of the 90 day period contemplated by this agreement or any other Cooperative Agreement or Notice of Award issued to BCFS. The parties are entering this agreement on a non-precedential basis concerning other wage determinations, Cooperative Agreements, or Notices of Award;

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<sup>1</sup> DOL will assist HHS/ORR in selecting the appropriate wage determinations and revisions.

- (6) HHS/ORR will provide a level of funding under this agreement that includes a capped estimate of the amount expected to cover increased funding requirements as a result of Sections 1, 2, and 4 above from the date the Notice of Award is expected to issue (on or about July 13, 2021) for a period of 90 days. Within 60 days of this agreement, BCFS will provide HHS/ORR with a budget that reflects the increased operational expenses resulting from Sections 1, 2, and 4 above from the issuance date of Notice of Award 90ZU0334-02-03, expected to issue July 13, 2021 and to be fully expended within a period of 90 days, for this Notice of Award. HHS/ORR will include remarks noting that the payment represents funds to support the Carrizo Springs facility from the date of issuance of the Notice of Award (expected on or about July 13, 2021) for a period of 90 days. HHS/ORR will evaluate and process this request in accordance with its established procedures, and then will provide BCFS with the funds necessary to cover additional costs attributable to Sections 1, 2, and 4 up to the capped estimate, which includes full payment of wages and fringe benefits up to the capped estimate of \$10, 073,428 for wages and fringe benefits in accordance with 29 CFR 4.6 and the wage determinations identified in Section 2 above. BCFS will distribute these additional funds solely in connection with Sections 1, 2, and 4.

**Cindy  
Huang**

Digitally signed by  
Cindy Huang  
Date: 2021.07.04  
09:08:20 -04'00'

7/4/2021

**Cindy Huang**

**Date**

**Director**

**Office of Refugee Resettlement**

*Sonya Thompson*

**Sonya Thompson**

7/4/2021

**Date**

**Executive Director**

**BCFS Health and Human Services**